

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee Substantively
Consolidated SIPA Liquidation of Bernard L.
Madoff Investment Securities LLC and the
Chapter 7 Estate of Bernard L. Madoff,

Plaintiff,

v.

FULLERTON CAPITAL PTE. LTD.,

Defendant.

Adv. Pro. No. 12-01004 (CGM)

**ORDER DENYING FULLERTON CAPITAL PTE. LTD.'S
MOTION TO DISMISS THE COMPLAINT**

Defendant Fullerton Capital Pte. Ltd. (“**Fullerton Capital**”) filed a motion to dismiss the Complaint under Bankruptcy Rule 7012(b) and Federal Rule of Civil Procedure 12(b)(6) (the “**Motion**”) on March 18, 2022. The parties stipulated to rest on their papers and waive oral argument on the Motion on September 29, 2022. The Court considered the Motion, the papers filed in support of and in opposition to the Motion, and the Complaint. The Court issued a memorandum

decision, dated October 28, 2022, regarding the Motion (the “Decision”). Based on the record in this adversary proceeding, including the Decision, it is ordered:

1. The Motion to dismiss the Complaint is denied.
2. The deadline for Fullerton Capital to file an answer to the Complaint is January 13, 2023.
3. The Court shall retain jurisdiction to implement or enforce this Order.

Dated: November 2, 2022
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
U.S. Bankruptcy Judge